

REMARKS

The Examiner rejected Claims 3, 6, 8, 11, 13 and 17 under 35 U.S.C. 112 as indefinite. Applicant has amended the claims to remove indefinite language.

The Examiner rejected Claims 1-6 and 11-13 under 35 U.S.C. 103(a) as unpatentable over *Pfaff* in view of *Owens*. The present non-obvious invention, as described in the specification, makes a sealing crimp on a metal sleeve 4 on either side of a cutting means which severs the metal sleeve into two, separated, end sealed sections. Describing the features of *Pfaff* the Examiner states that there is a cutting means (Figure 4, item 34) capable of making a cutting indication on a sleeve and hose to allow a sealing cutting of the hose. Applicant respectfully submits that, in fact, there is no cutting means whatsoever in *Pfaff*. The element 34 cited by the Examiner is a ridge portion 34 for compressing and deforming a portion of the first extension portion (column 4, lines 48-51). If ridge portion 34 in fact had a cutting ability it would sever the clip member 16 rather than merely compressing and deforming it as described in the patent and shown in Figure 2 therein. Similarly, the other cited art also provides a crimping function not a cutting means. As each and every element of the present non-obvious invention fails to be taught, disclosed or suggested by the cited references, rejection under 35 U.S.C. 103(a) is improper. As Claim 1 is believed to be in allowable form the dependent claims thereof should also be allowable.

Further, with respect to Claim 4 the Examiner suggests that *Pfaff* discloses an opposite recess for the cutting means. As plainly described in the cited reference, Figure 4 is an enlarged partial cross sectional view of one of the clamping members of the clip installing pliers shown in Figure 3 taken along line 4-4 thereof. Figure 4 shows only the ridge portion 34 protruding from a ridge retention portion 38. Applicant respectfully submits that Figure 4 shows no "opposite recess for the cutting means" whatsoever.

The Examiner rejected Claims 7-10 and 14-17 under 35 U.S.C. 103(a) as unpatentable over *Pfaff*, *Owens* and *Undin*. As described hereinabove *Pfaff*, and the other cited references fail to teach, suggest, or disclose a cutting means. With respect to Claims 8-10 and 15-17 the Examiner again suggests there is a cutting edge on one jaw and a recess on the other jaw. Applicant respectfully submits that there is no basis whatsoever for the characterization of *Pfaff* as having a cutting edge on one jaw and a recess on the other jaw. No cutting edge or recess exists in the cited reference. Any cutting functionality in *Pfaff* would result in a severing rather than a crimping of the C shaped clip member 16 which is plainly contrary to the teachings of *Pfaff*, as shown in Figure 2.



VERSIONS WITH MARKINGS TO SHOW CHANGES MADE

3. An appliance according to claim 1, characterized in that the cutting means (13) has the form of a substantially straight cutting edge (15), which projects to a greater extent than the at least one bar[/bars] (11).

6. An appliance according to claim 3, characterized in that the cutting edge (15) is situated on one side of the at least one bar[/bars] (11).

8. An appliance according to claim [1] 7, characterized in that the at least one bar[/bars] (11) and the cutting edge (15) are situated on one jaw (8), and that the fixture (17) is situated on the other jaw (9), the at least one bar[/bars], the cutting edge and the fixture being mounted on or being made in one piece with the associated jaw.

9. An appliance according to claim 8, characterized in that the jaw (8) provided with the at least one bar[/bars] (11) and the cutting edge (15) has the form of a die, which is fixedly mounted in the appliance (1), and that the jaw (9) provided with the fixture (17) has the form of a punch, which is movably arranged in the appliance (1) and actuatable by a driving means (10).

11. An appliance according to claim 2, characterized in that the cutting means (13) has the form of a substantially straight cutting edge (15), which projects to a greater extent than the at least one bar[/bars] (11).

13. An appliance according to claim 4, characterized in that the cutting edge (15) is situated on one side of the at least one bar[/bars] (11).

17. An appliance according to claim 2, characterized in that the at least one bar[/bars] (11) and the cutting edge (15) are situated on one jaw (8), and that the fixture (17) is situated on the other jaw (9), the at least one bar[/bars], the cutting edge and the fixture being mounted on or being made in one piece with the associated jaw.

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